

AMENDMENTS TO THE CLAIMS

1-71. (Canceled)

72. (Previously Presented) An interbody spinal implant made of cortical bone for insertion at least in part into an implantation space formed across the height of a disc space between adjacent vertebral bodies of a human spine, the vertebral bodies having an anterior aspect and a posterior aspect, said implant comprising:

a leading end for insertion first into the disc space, a trailing end opposite said leading end, said implant having a length along a mid-longitudinal axis of said implant from said leading end to said trailing end;

opposed upper and lower portions between said leading and trailing ends adapted to be placed at least in part within and across the height of the disc space to contact and support the adjacent vertebral bodies, said upper and lower portions being non-arcuate along at least a portion of the length of said implant;

an interior facing side, an exterior facing side opposite said interior side, and a maximum width therebetween, said maximum width of said implant being less than approximately one-half of the width of the adjacent vertebral bodies into which said implant is adapted to be inserted, said interior and exterior sides connecting said upper and lower portions and said leading and trailing ends, said leading end having a generally straight portion from side to side, said interior side forming a corner with said generally straight portion of said leading end, said interior side adapted to be oriented toward an interior side of another implant when inserted within the disc space;

said implant being manufactured from a bone ring obtained from a major long bone of a human having a medullary canal, said interior side of said implant including at least a portion of the medullary canal so that when said implant is placed side by side another implant having an interior side including at least a portion of a medullary canal a passage is formed adapted to hold bone growth promoting material for permitting for the growth of bone from vertebral body to vertebral body through said passage.

73. (Previously Presented) The implant of claim 72, wherein said straight portion of said leading end is generally oriented at 90 degrees to the mid-longitudinal axis of said implant.

74. (Previously Presented) The implant of claim 72, wherein at least a portion of said leading end has a reduced height to facilitate insertion of said implant between the two adjacent vertebral bodies.

75. (Previously Presented) The implant of claim 72, wherein said trailing end is at least in part straight from side to side.

76. (Previously Presented) The implant of claim 72, wherein said trailing end is asymmetrical side to side.

77. (Previously Presented) The implant of claim 72, wherein the trailing end is adapted to conform from side to side to at least a portion of the peripheral contour of at least one of the anterior and posterior aspects of the vertebral bodies adjacent a disc space into which said implant is inserted.

78. (Previously Presented) The implant of claim 72, wherein said at least one of said interior and exterior sides is at least in part straight.

79. (Previously Presented) The implant of claim 72, wherein at least one of said interior and exterior sides is at least in part oriented generally parallel to the mid-longitudinal axis of said implant.

80. (Previously Presented) The implant of claim 72, wherein said upper and lower surfaces include at least one opening in communication with one another to permit for the growth of bone from vertebral body to vertebral body through said implant.

81. (Previously Presented) The implant of claim 72, wherein said implant has a maximum length less than and approximating the posterior to anterior depth of the vertebral bodies.

82. (Previously Presented) The implant of claim 72, further comprising a bone engaging surface formed on the exterior of at least said upper and lower portions for engaging the adjacent vertebral bodies, said bone engaging surface including at least one of a protrusion, a ratchet, a spike, a spline, surface roughenings, and knurling.

83. (Previously Presented) The implant of claim 72, wherein said implant comprises at least in part of a bone growth promoting material.

84. (Previously Presented) The implant of claim 83, wherein said bone growth promoting material is selected from one of bone, bone derived products, demineralized bone matrix, mineralizing proteins, ossifying proteins, bone morphogenetic protein, and hydroxyapatite.

85. (Previously Presented) The implant of claim 72, in combination with a bone growth promoting material.

86. (Previously Presented) The implant of claim 85, wherein said bone growth promoting material is selected from one of bone, bone derived products, demineralized bone matrix, mineralizing proteins, ossifying proteins, bone morphogenetic protein, and hydroxyapatite.

87. (Previously Presented) The implant of claim 72, wherein said implant is treated with a bone growth promoting substance.

88. (Previously Presented) The implant of claim 72, wherein said implant is at least in part resorbable.

89. (Previously Presented) The implant of claim 72, wherein at least a portion of said implant is treated to promote bone ingrowth between said implant and said adjacent vertebral bodies.

90. (Previously Presented) The implant of claim 72, further in combination with at least one spinal fixation implant.

91. (Previously Presented) An interbody spinal implant made of bone composite material for insertion at least in part into an implantation space formed across the height of a disc space between adjacent vertebral bodies of a human spine, the vertebral bodies having an anterior aspect and a posterior aspect, said implant comprising: a leading end for insertion first into the disc space, a trailing end opposite said leading end, said implant having a length along a mid-longitudinal axis of said implant from said leading end to said trailing end;

opposed upper and lower portions between said leading and trailing ends adapted to be placed within the disc space to contact and support the adjacent vertebral bodies, said upper and lower portions being non-arcuate along at least a portion of the length of said implant;

an interior side, an exterior side opposite said interior side, and a maximum width therebetween, said maximum width of said implant being less than approximately one-half of the width of the adjacent vertebral bodies into which said implant is adapted to be inserted, said interior and exterior sides connecting said upper and lower portions and said leading and trailing ends, said leading end having a generally straight portion from side to side, said interior side forming a corner with said generally straight portion of said leading end, said interior side adapted to be oriented toward an interior side of another implant when inserted within the disc space;

said implant being manufactured from a bone composite material, said interior side of said implant including a recess so that when said implant is placed side by side another implant having an interior side including a recess a passage is formed adapted to hold bone growth promoting material for permitting for the growth of bone from vertebral body to vertebral body through said passage.

92. (Previously Presented) The implant of claim 91, wherein said bone composite material includes at least one of cortical bone and bone particles.

93. (Previously Presented) The implant of claim 91, further comprising a binding material.

94. (Previously Presented) The implant of claim 93, wherein said binding material is at least one of bioactive and bioresorbable.

95. (Previously Presented) The implant of claim 91, wherein said trailing end is at least in part straight from side to side.

96. (Previously Presented) The implant of claim 91, wherein said trailing end is asymmetrical side to side.

97. (Previously Presented) The implant of claim 91, wherein the trailing end is adapted to conform from side to side to at least a portion of the peripheral contour of at least one of the anterior and posterior aspects of the vertebral bodies adjacent a disc space into which said implant is inserted.

98. (Previously Presented) The implant of claim 91, wherein said at least one of said interior and exterior sides is at least in part straight.

99. (Previously Presented) The implant of claim 91, wherein at least one of said interior and exterior sides is at least in part oriented generally parallel to the mid-longitudinal axis of said implant.

100. (Previously Presented) The implant of claim 91, wherein at least a portion of said upper and lower surfaces are in an angular relationship to each other from trailing end to leading end for allowing angulation of the adjacent vertebral bodies relative to each other.

101. (Previously Presented) The implant of claim 91, wherein said implant has a maximum length less than and approximating the posterior to anterior depth of the vertebral bodies.

102. (Previously Presented) The implant of claim 91, further comprising a bone engaging surface formed on the exterior of at least said upper and lower portions for engaging the adjacent vertebral bodies, said bone engaging surface including at least one of a protrusion, a ratchet, a spike, a spline, surface roughenings, and knurling.

103. (Previously Presented) The implant of claim 91, wherein said implant comprises at least in part of a bone growth promoting material.

104. (Previously Presented) The implant of claim 103, wherein said bone growth promoting material is selected from one of bone, bone derived products, demineralized bone matrix, mineralizing proteins, ossifying proteins, bone morphogenetic protein, hydroxyapatite, and genes coding for the production of bone.

105. (Previously Presented) The implant of claim 91, in combination with a bone growth promoting material.

106. (Previously Presented) The implant of claim 105, wherein said bone growth promoting material is selected from one of bone, bone derived products, demineralized bone matrix, mineralizing proteins, ossifying proteins, bone morphogenetic protein, hydroxyapatite, and genes coding for the production of bone.

107. (Previously Presented) The implant of claim 91, wherein said implant is treated with a bone growth promoting substance.

108. (Previously Presented) The implant of claim 91, wherein said implant is at least in part resorbable.

109. (Previously Presented) The implant of claim 91, wherein at least a portion of said implant is treated to promote bone ingrowth between said implant and said adjacent vertebral bodies.

110. (Previously Presented) The implant of claim 91, further in combination with at least one spinal fixation implant.

111. (Previously Presented) A pair of interbody spinal implants made of a bone composite material for insertion at least in part across the height of a disc space between adjacent vertebral bodies of a human spine, the vertebral bodies having an anterior aspect, a posterior aspect, and a depth therebetween, each of said implants comprising:

a leading end for insertion first into the disc space, a trailing end opposite said leading end, said implant having a length along a mid-longitudinal axis of said implant from said leading end to said trailing end, said length of said implant being greater than one half the depth of the vertebral bodies adjacent the disc space into which said implant is adapted to be inserted;

opposed upper and lower portions between said leading and trailing ends adapted to be placed at least in part within and across the height of the disc space to contact and support the adjacent vertebral bodies, said upper and lower portions being non-arcuate along at least a portion of the length of said implant;

an interior side, an exterior side opposite said interior side, and a maximum width therebetween, said maximum width of said implant being less than approximately one-half of the width of the adjacent vertebral bodies into which said implant is adapted to be inserted, said interior and exterior sides connecting said upper and lower portions and said leading and

trailing ends, said leading end being asymmetrical from side to side, said interior side adapted to be oriented toward an interior side of another implant when inserted within the disc space; and

said implant being manufactured from a bone composite material, said interior side of said implant including a recess, said interior side of said implant including a recess so that when said implant is placed side by side another implant having an interior side including a recess a passage is formed adapted to hold bone growth promoting material for permitting for the growth of bone from vertebral body to vertebral body through said passage; and the combined width of said pair of said implants being greater than one half the width of the adjacent vertebral bodies into which said implants are adapted to be inserted.

112. (Previously Presented) The implant of claim 111, wherein said bone composite material includes at least one of cortical bone and bone particles.

113. (Previously Presented) The implant of claim 111, further comprising a binding material.

114. (Previously Presented) The implant of claim 111, wherein said binding material is at least one of bioactive and bioresorbable.

115. (Previously Presented) The implant of claim 111, wherein said leading end includes a generally straight portion from side to side.

116. (Previously Presented) The implant of claim 112, wherein said straight portion of said leading end is generally oriented at 90 degrees to the mid-longitudinal axis of said implant.

117. (Previously Presented) The implant of claim 111, wherein at least a portion of said leading end has a reduced height to facilitate insertion of said implant between the two

adjacent vertebral bodies.

118. (Previously Presented) The implant of claim 111, wherein said trailing end is at least in part straight from side to side.

119. (Previously Presented) The implant of claim 111, wherein said trailing end is asymmetrical side to side.

120. (Previously Presented) The implant of claim 111, wherein the trailing end is adapted to conform from side to side to at least a portion of the peripheral contour of at least one of the anterior and posterior aspects of the vertebral bodies adjacent a disc space into which said implant is inserted.

121. (Previously Presented) The implant of claim 111, wherein said at least one of said interior and exterior sides is at least in part straight.

122. (Previously Presented) The implant of claim 111, wherein at least one of said interior and exterior sides is at least in part oriented generally parallel to the mid-longitudinal axis of said implant.

123. (Previously Presented) The implant of claim 111, wherein at least a portion of said upper and lower surfaces are in an angular relationship to each other from trailing end to leading end for allowing angulation of the adjacent vertebral bodies relative to each other.

124. (Previously Presented) The implant of claim 111, wherein said implant has a maximum length less than and approximating the posterior to anterior depth of the vertebral bodies.

125. (Previously Presented) The implant of claim 111, further comprising a bone engaging surface formed on the exterior of at least said upper and lower portions for engaging

the adjacent vertebral bodies, said bone engaging surface including at least one of a protrusion, a ratchet, a spike, a spline, surface roughenings, and knurling.

126. (Previously Presented) The implant of claim 111, wherein said implant comprises at least in part of a bone growth promoting material.

127. (Previously Presented) The implant of claim 126, wherein said bone growth promoting material is selected from one of bone, bone derived products, demineralized bone matrix, mineralizing proteins, ossifying proteins, bone morphogenetic protein, and hydroxyapatite.

128. (Previously Presented) The implant of claim 111, in combination with a bone growth promoting material.

129. (Previously Presented) The implant of claim 128, wherein said bone growth promoting material is selected from one of bone, bone derived products, demineralized bone matrix, mineralizing proteins, ossifying proteins, bone morphogenetic protein, and hydroxyapatite.

130. (Previously Presented) The implant of claim 111, wherein said implant is treated with a bone growth promoting substance.

131. (Previously Presented) The implant of claim 111, wherein said implant is at least in part resorbable.

132. (Previously Presented) The implant of claim 111, wherein at least a portion of said implant is treated to promote bone ingrowth between said implant and said adjacent vertebral bodies.

133. (Previously Presented) The implant of claim 111, further in combination with at least one spinal fixation implant.

134. (Previously Presented) An interbody spinal implant made of cortical bone for insertion at least in part into an implantation space formed across the height of a disc space between adjacent vertebral bodies of a human spine, the vertebral bodies having an anterior aspect and a posterior aspect, said implant comprising:

a leading end for insertion first into the disc space, a trailing end opposite said leading end, said implant having a length along a mid-longitudinal axis of said implant from said leading end to said trailing end;

opposed upper and lower portions between said leading and trailing ends adapted to be placed at least in part within and across the height of the disc space to contact and support the adjacent vertebral bodies, said upper and lower portions being non-arcuate along at least a portion of the length of said implant;

an interior facing side, an exterior facing side opposite said interior side, and a maximum width therebetween, said maximum width of said implant being less than approximately one-half of the width of the adjacent vertebral bodies into which said implant is adapted to be inserted, said interior and exterior sides connecting said upper and lower portions and said leading and trailing ends, said leading end having a generally straight portion from side to side, a portion of said exterior side being in a plane generally parallel to the mid-longitudinal axis, said portion of said exterior side intersecting said generally straight portion of said leading end and forming a corner with said generally straight portion of said leading end, said interior side adapted to be oriented toward an interior side of another implant when inserted within the disc space;

said implant being manufactured from a bone ring obtained from a major long bone of a human having a medullary canal, said interior side of said implant including at least a portion of the medullary canal so that when said implant is placed side by side another implant having an interior side including at least a portion of a medullary canal a passage is formed adapted to hold bone growth promoting material for permitting for the growth of bone from vertebral body to vertebral body through said passage.

135. (Previously Presented) An interbody spinal implant made of cortical bone for insertion at least in part into an implantation space formed across the height of a disc space between adjacent vertebral bodies of a human spine, the vertebral bodies having an anterior aspect and a posterior aspect, said implant comprising:

a leading end for insertion first into the disc space, a trailing end opposite said leading end, said implant having a length along a mid-longitudinal axis of said implant from said leading end to said trailing end;

opposed upper and lower portions between said leading and trailing ends adapted to be placed at least in part within and across the height of the disc space to contact and support the adjacent vertebral bodies, said upper and lower portions being flattened along at least a portion of the length of said implant;

an interior facing side and an exterior facing side opposite said interior side, said interior and exterior facing sides connecting said upper and lower portions and said leading and trailing ends, said leading end having a generally straight portion from side to side, said interior side forming a corner with said generally straight portion of said leading end, said interior side adapted to be oriented toward an interior side of another implant when inserted within the disc space;

said implant being manufactured from a bone ring obtained from a major long bone of a human having a medullary canal, said interior side of said implant including at least a portion of the medullary canal so that when said implant is placed side by side another implant having an interior side including at least a portion of a medullary canal a passage is formed adapted to hold bone growth promoting material for permitting for the growth of bone from vertebral body to vertebral body through said passage.

136.-248. (Cancelled)